

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUGENE FLOYD,

Plaintiff,

Case No. 1:07-cv-793

v.

Honorable Wendell A. Miles

STATE OF MICHIGAN,

Defendants.

ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS* ON APPEAL

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. On September 18, 2007 (docket ##3-4), the Court entered an order denying Plaintiff leave to proceed *in forma pauperis* because he has “three strikes” within the meaning of 28 U.S.C. § 1915(g). Plaintiff has now filed a notice of appeal, but has failed to submit the \$455.00 filing fee. As outlined in the Court’s memorandum opinion and order denying him pauper status based on § 1915(g), Plaintiff is barred from proceeding *in forma pauperis* on this appeal. Plaintiff has thirty days from the date of entry of this order to pay the entire filing fee for appealing a civil action, which is \$455.00, to the Clerk of this Court. Plaintiff’s failure to comply with this order may result in dismissal of this appeal without prejudice by the Sixth Circuit Court of Appeals.

Dated: October 22, 2007

/s/ Wendell A. Miles

Wendell A. Miles

Senior U.S. District Judge

SEND REMITTANCES TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
399 Federal Building
110 Michigan Street, NW
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to “Clerk, U.S. District Court.”